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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,767	04/30/2001	Vivian G. Hsieh	033048-013	9190

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EXAMINER	
NGUYEN, NHON D	

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/843,767	HSIEH ET AL.	
	Examiner	Art Unit	
	Nhon (Gary) D Nguyen	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 January 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *33-66* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *33-66* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to amendment, filed 01/10/2005.

2. Claims 33-66 are pending in this application. Claims 33, 35, 51 and 59 are independent claims. In this amendment, claims 1-32 are canceled, no claim is amended, and claims 35-66 are added. This action is made final.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 33 and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Tonelli et al. ("Tonelli", 5,821,937).

As per claim 33, Tonelli teaches a graphical user interface for searching for a device among a plurality of devices within one or more data centers comprising:

an input interface for entering one of a hostname of said device (*Name* of fig. 43; col. 13, lines 66-67) and an IP address of said device (fig. 44; col. 14, lines 18-21); and

a display screen which provides selected information associated with said device based upon whether the input interface received a hostname or an IP address (fig. 45; col. 13, line 58 – col. 14, line 29).

As per claim 34, Tonelli teaches wherein said display screen provides an IP address state assignment interface element when said user enters an IP address into said input interface (col. 14, lines 16-28).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 35-37, 47-53, 55-60, 65 and 66 are rejected under 35 U.S.C. 102(a) as being anticipated by Dean et al. ("Dean", US 6,202,206).

As per claims 35 and 51, Dean teaches a computer implemented method and corresponding system for implementing a graphical user interface for an automated service provisioning system comprising the steps/means:

a first user interface element via which a user can select at least one computing device to be configured, from among a plurality of networked devices (e.g. fig. 15 – fig. 17; client computers "Paco", "Newton" and "Jeff"); and

a second user interface element via which the user designates an operating system to be loaded on the selected computing device (col. 9, lines 17-22).

As per claims 36 and 53, Dean teaches said first user interface element enables the user to select a plurality of computing devices to be configured simultaneously with the designated operating system (e.g. 72 of fig. 72).

As per claims 37 and 52, Dean teaches a third user interface element via which the user designates at least one of application software and application data to be loaded on the selected computing device (e.g. fig. 26 and fig. 27).

As per claim 47, Dean teaches said user interface is responsive to designation of an operating system to cause the identification of the designated operating system to be stored in a database in association with the selected computing device (col. 9, lines 17-22).

As per claims 48 and 65, Dean teaches said user interface is responsive to designation of an application software or application data to cause the identification of the designated application software or application data to be stored in a database in association with the selected computing device (e.g. fig. 26 and fig. 27).

As per claims 49 and 55, Dean further teaches including a third interface element via which the user can establish name/value pairs for configuration of the designated operating system on the selected device (col. 9, lines 17-22).

As per claims 50 and 66, Dean further teaches including a third interface element via which the user can establish name/value pairs for configuration of the designated application software on the selected device (e.g. fig. 26 and fig. 27).

As per claim 56, Dean teaches including the steps of automatically loading the designated operating system on the selected device in accordance with the identification stored in said database (e.g. col. 9, line 15 – col. 10, line 3).

As per claim 57, Dean teaches the steps of automatically configuring the operating system on the selected device in accordance with the name/value pairs stored in said database (e.g. col. 9, line 15 – col. 10, line 3).

As per claim 58, Dean teaches the steps of automatically loading the designated operating system on the selected device in accordance with the identification stored in said database (e.g. col. 9, line 15 – col. 10, line 3).

As per claim 59, Dean teaches a computer implemented method and corresponding system for implementing a graphical user interface for an automated service provisioning system comprising the steps/means:

a first user interface element via which a user can select at least one computing device to be configured, from among a plurality of networked devices (e.g. fig. 15 – fig. 17; client computers "Paco", "Newton" and "Jeff"); and

a second user interface element via which the user designates at least one of application software and application data to be loaded on the selected computing device (e.g. fig. 26 and fig. 27).

As per claim 60, Dean teaches said first user interface element enables the user to select a plurality of computing devices to be configured simultaneously with the designated application software or application data (e.g. fig. 8).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 38-43 and 61-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean in view of Carrier, III et al. ("Carrier", 5,960,196).

As per claims 38, 41 and 61, Dean does not disclose said third user interface element displays a list of versions of application software/data that are currently approved for loading onto the selected computing device. Carrier teaches a list of approved versions of software that are ready for a build (fig. 2B; col. 4, line 55 – col. 5, line 11). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply a list of approved versions of application software displayed and ready for a build from Carrier onto Dean's computing device since it would have help users to review and to select on the approved versions.

As per claims 39, 42 and 62, Carrier teaches said third user interface element includes a component that is actuable by the user to cause deprecated versions of application software to be displayed for designation (e.g. 126 and 128 of fig. 2B; col. 4, line 55 – col. 5, line 11).

As per claims 40, 43 and 63, Carrier teaches said deprecated versions are displayed in said list together with said currently approved versions (e.g. fig. 2B; col. 4, lines 62-65).

As per claim 64, it is recites a combination of limitations recited in claims 38 and 39; therefore it is rejected as set forth in the rejection of claims 38 and 39, combined.

9. Claims 44-46 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean in view of Carrier.

As per claim 44, Dean in view of Carrier as recited in rejected claims 38 and 41 teaches the second user interface element displays a list of versions of application software that are currently approved for loading onto the selected computing device. Dean in view of Carrier does not disclose a list of versions of operating system that are currently approved for loading onto the selected computing device. Examiner takes Official Notice that it would have been obvious to one of skill in the art to include a list of versions of operating system in place of a list of versions of application software. It would have been obvious to one of ordinary skill in the art at the time of the invention to include a list of versions of operating system in place of modified Dean's list

of versions of application software since it would have helped users to review and to select on the approved versions of operating system.

As per claim 45, Dean in view of Carrier as recited in rejected claims 39 and 42 teaches said second user interface element includes a component that is actuable by the user to cause deprecated versions of application software to be displayed for designation. Dean in view of Carrier does not disclose the user cause deprecated versions of operating system to be displayed for designation. Examiner takes Official Notice that it would have been obvious to one of skill in the art to include deprecated versions of operating system in place of deprecated versions of application software. It would have been obvious to one of ordinary skill in the art at the time of the invention to include deprecated versions of operating system in place of modified Dean's deprecated versions of application software since it would have helped users to review on the deprecated versions of operating system.

As per claim 46, Carrier teaches said deprecated versions are displayed in said list together with said currently approved versions (e.g. fig. 2B; col. 4, lines 62-65).

As per claim 54, it is recites a combination of limitations recited in claims 44 and 45; therefore it is rejected as set forth in the rejection of claims 44 and 45, combined.

Response to Arguments

10. Applicant's arguments filed 01/10/2005 have been fully considered but they are not persuasive.

Applicant argued the following:

(a) It is not clear that either of the fields identified in Figures 43 and 44 constitute an interface via which a user can enter the host name of a device or the IP address of a device, as recited in claim 33.

(b) There is no disclosure in the patent which suggests that the information displayed in the dialog box of figure 45 is based upon whether a user entered a host name or an IP address.

Examiner disagrees for the following reasons:

(a) The four tabs within the window of Figure 43 contain *configurable options* (col. 13, lines 66-67), which means a user may enter the hostname in the *Name* field. Referring to figure 44, Tonelli describes a Router Properties Box 442 is displayed within which a user may *edit logical addresses or IP addresses* (col. 14, lines 18-21). Therefore, Tonelli clearly teaches an interface via which a user can enter the host name of a device or the IP address of a device, as recited in claim 33.

(b) Since the tab Length of figure 45, which contains device information, associates with the General tab of figure 43; therefore, the information within the window of the figure 45 is clearly associated with the entered hostname and IP address, as explained above (col. 13, line 58 – col. 29).

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiries

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is (571)272-4139. The examiner can normally be reached on Monday - Friday with every other Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (571)272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhon (Gary) Nguyen
May 12, 2005

BA HUYNH
PRIMARY EXAMINER